

Naples City Council

March 10, 2022

Minutes

The regularly scheduled meeting of the Naples City Council was held March 10, 2022, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were Brian Gorum, Scott and Stephanie Adams, James Richards, Jeramie Tubbs, Carson Young, Jeremy Raymond, Kimberly Kay, Sarah Gray, Jax Tolbert, Brooks Jones, Ryan Cook, Szeth Simmons, Nathan Simper, Micheal Davis and Nikki Kay.

OTHERS ATTENDING

Mayor Dean Baker welcomed everyone and called the meeting to order at 7:30 p.m. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Robert Hall offered the invocation.

OPENING CEREMONY

Mayor Baker turned some time over to Chief Simper. Chief Simper stated he has been working on developing some organization in his department and conducted interviews to fill the position of his second in charge. He selected Officer Steve Gray. Officer Gray's wife Sarah pinned on his new badge for this promotion. Council members congratulated Officer Gray.

Mayor Baker asked for approval of the agenda. Councilman Kitchen said he would like a minute under Other Matters. Micheal Davis recommended they change the order of items ten and eleven on the agenda. Kenneth Reynolds **moved** to approve the agenda with those changes. Dennis Long **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

The minutes of the regular city council meeting of February 24, 2022 were presented for approval. Robert Hall **moved** to approve the minutes. Dan Olsen **seconded** the motion. The motion passed with all in attendance voting in the affirmative.

MINUTES APPROVED

Councilman Hall wanted to know if they had a discussion with UBAOG regarding the self help houses. Micheal stated they did and were told they were okay with whatever the City decided. He said the discussion will be on the next agenda.

***FOLLOW UP ITEMS FROM
PREVIOUS MEETING***

Nikki Kay presented the bills for payment in the amount of \$18,113.08. Dan Olsen **moved** to approve the amount as presented. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

APPROVAL OF THE BILLS

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Carson Young, Vice President of the Dinosaur Roundup Rodeo Committee, came before the Council to express appreciation for the City's support of the rodeo in the past and a hope of that continued association. Mr. Young shared information regarding the rodeo this year, explained some changes that will be taking place, and updated the Council on future capital projects the Rodeo Committee is working on. Mr. Young said they anticipate about 700 contestants with about 300 head of livestock. He showed a map of states that have participating contestants and also those states that have people who attend the rodeo. Mr. Young said this rodeo is part of the NFR playoff series and because the NFR is re-branding this year there will be an increase in the purse money payout. He said this will mean an additional \$12,000 to be paid out this year. Mr. Young said they like to give back to the community and have been working with Uintah County on a master plan to add another indoor arena. He said they are also working on private donations for that. With no questions from the Council, Robert Hall **moved** to approve the amount of \$2,000 for the rodeo. Dennis Long **seconded** the motion. The motion passed with the following roll call vote:

***UPDATE AND REQUEST
FOR DONATION FROM
DINOSAUR ROUNDUP
RODEO***

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Jeramie Tubbs, Health Educator for TriCounty Health, came before the Council to share information on vaping and the related health risks. She stated that in 2019, vape product use was highest among Utah's older teens and young adults. Ms. Tubbs said better regulation of vape products is needed to reduce vape-related health risks. She shared some statistics from TriCounty Health which showed students' use of vape products increased by 257% from 2013 to 2019. Ms. Tubbs explained the Utah Department of Health does regulate Utah tobacco laws and there are certain steps to be followed in order to obtain a license to sell tobacco products but the City could choose to prohibit vape shops or retail tobacco specialty businesses. Councilman Hall asked about the local checks done by law enforcement to make sure retail stores are in compliance with checking identification of minors. Ms. Tubbs said they try and do that at least twice a year. Mayor Baker said they have not had anyone contact the City about this type of business license but it would be good to have something in place before that happens. Councilman Kitchen wanted to know if there are any State regulations prohibiting the City from putting in place this type of restriction? Ms. Tubbs said they have other cities who have adopted such ordinances and Ballard City is currently working on one. Mayor Baker and Council thanked Ms. Tubbs for coming and sharing this information and said they would recommend the Planning Commission review this.

***PRESENTATION ON
TOBACCO PREVENTION
AND CONTROL***

Fire Marshall Jeremy Raymond came before the Council to give a report on the Uintah Fire Special Service District. Brian Gorum, Chairman of the Uintah Fire Suppression SSD, and Brett Reynolds, Naples Fire Chief were also in attendance. Mr. Raymond shared some statistics for each of the different fire departments. The numbers for public service hours were the highest for Naples Fire. Chief Reynolds stated the Sub for Santa efforts have a lot to do with that. Mr. Gorum said when Naples Fire partnered with the Rotary Club in the Sub for Santa, their help has been invaluable and has allowed them to reach out to other groups. Mr. Raymond said the Fire District had to let go of their full time fire inspector and individuals with Naples Fire have stepped up to help out with those inspections. Mr. Raymond shared numbers from past years for call outs, training, type of call outs, etc. He also showed the capital project goals for 2022. Councilman Hall expressed his appreciation for these three men and thanked them for their service and friendship. Mr. Gorum express his appreciation for everything Councilman Hall contributes to the District and said they wouldn't have the District they do

***U I N T A H F I R E
SUPPRESSION CONTROL
DISTRICT REPORT***

without his help. Mr. Raymond said the District appreciates the partnership of the City and they wanted to come and say thank you. Mayor and Council thanked them all for coming.

James Richards came before the Council to ask for their approval to defer the fencing requirement on their commercial development of storage units. Mr. Richards reported their preliminary plans have been before the Planning Commission and some changes are being made and when those have been made this will come to the Council for approval. He said, in the meantime, he wanted to get Council's opinion before going to the Planning Commission. Mr. Richards gave Council a handout of what he wanted to discuss. Mr. Richards referred to the fencing code in the I-Zone of the Land Use Ordinance and asked the Council to defer that fence requirement until any residential development moves close enough to the storage facility to warrant that need. He explained that the closest neighbor to the east is 1/4 mile. Mr. Richards stated they would be happy to install the fence in the future, as determined by the City. He said they will be able to put in a really nice fence if they can wait for some cash flow. Mayor Baker stated, a few years ago, the City did allow Wheeler Machinery to defer putting in a fence until development began east of their property. Mayor Baker asked Micheal if he discussed with Mr. Richards about the current code not allowing chain link fences? Mayor Baker said the current code says a privacy fence has to go up but chain link is not allowed. He said there was some discussion in the past to do away with that restriction but that change has not been adopted and chain link would not be an option right now. Councilman Kitchen asked about the fencing along the front. Mr. Richards said they are doing a really nice fence along the front, they are just talking about the fence to the east and the north. Mayor Baker asked what the first phase of the development would be. Mr. Richards said it would be the retention pond, the office building which will be stucco, a shed, and three full buildings. Mayor Baker asked about the driveways. Mr. Richards stated they would be 4' concrete driveways and go all the way around. Mayor Baker wanted to know if he has approached the Planning Commission about the fence. Mr. Richards said he has not. He said the Planning Commission approved the concept. Micheal Davis clarified that the Planning Commission has seen the plans and told Mr. Richards he could move forward but they have not reviewed the fence, landscaping, or anything like that. Mr. Richards stated he had four items he wanted to get clarification on

***S T O R A G E U N I T
C O M M E R C I A L
D E V E L O P M E N T F E N C I N G
R E Q U E S T***

from the Council so they could continue to move forward. Councilman Long asked if there was any fence along the east side now. Mr. Richard said they just have a barbed wire fence. Councilman Long wanted to know how they were going to keep people out without a fence. Mr. Richards said they will still have the net wire with barbed wire. Mayor Baker asked Micheal about the process and if Council could really jump ahead of the Planning Commission on this. Micheal said all Mr. Richards asked him about was to be on the agenda to discuss the deferment of the fence, and he was not aware of these other items. Micheal felt like Planning and Zoning would be okay with knowing what the Council thought so it didn't come down to Mr. Richards being denied and asking Council to over rule it. Micheal said he was okay if Council wanted to give their recommendation. Micheal said there are some things the Planning Commission does have to make a recommendation on. Councilman Kitchen wanted to know if Mr. Richards wanted to wait on his fence request until the City updated the ordinance, because this would defer his fence under the current ordinance. Mr. Richards said even under the current Ordinance the Planning Commission can alter or waive the fence requirement. He said whatever the City ends up doing in the end is what they would comply with. Councilman Hall said he doesn't have a problem with the deferment but what is the line that would change the deferment and what conditions would require the City to say the deferment is over and not have Mr. Richards be surprised by that. Micheal said it would be the residential development. If a home went in it would have to be immediate and he would like to see a time frame put on it. Mr. Richards said he is just asking for a deferment until a need arises. Councilman Reynolds said, as a general rule, they don't have a problem with it and could work with him on it but it should go through Planning Commission. Councilman Kitchen said they were in favor of allowing it but also felt like the Planning Commission should review it and give their recommendation. Mayor Baker said it should go back to the Planning Commission and follow the process.

Mr. Richards' second matter he wanted to address was the retention pond. He stated they submitted it to the Planning Commission as a cobble rock-lined pond. He said they would like to try and do a green space that would be a drought resistant pasture that can be watered and mowed. Councilman Reynolds said it would need to meet the requirements in the Land Use Ordinance. Jim said they did have someone come down and take soil samples and based

on those they have the specs of the pond but would now like to make it a green space. Council members didn't have a problem with the green space, they just want to make sure it complies with the requirements. Mayor Baker recommended he take it back to the Planning Commission.

The third item Mr. Richards asked the Council about was the requirement of road facing facades to have stucco. He said the south side of the storage buildings, which will face the road, are mostly the roll up doors and they can't have stucco. Councilman Kitchen said the Council knows you can't have stucco roll up doors and to take this to the Planning Commission.

The fourth item was the placement of the road facing security fence and the required setback. Mr. Richards was asking if the Council would approve a 12' setback instead of the 25' or 20'. Mr. Richards said that was approved by the Planning Commission. Micheal said the Planning Commission did not approve anything. He said this was being reviewed by the Planning Commission and he said this was not included as a discussion for the agenda so he was not prepared with the current required setbacks. Mayor and Council told Mr. Richards he needs to take this back to the Planning Commission also.

Micheal Davis presented the one-year capital improvement list to the Council for their review. He said they moved the order of the projects on the one-year list. The new order was the asphalt management project, public works equipment, street lights, and street improvements. Council members asked about the five-year list and Micheal said UBAOG only asked for the one-year list. Micheal also pointed out the City has turned in their Capital Asset Self Inventory (CASI) to UBAOG and will turn in this list as soon as Council approves it. Dan Olsen **moved** to approve the projects listed for the one-year capital improvements. Dennis Long **seconded** the motion. The motion passed with all voting in the affirmative.

***REVIEW AND UPDATE
CIB ONE YEAR CAPITAL
IMPROVEMENT LIST***

Ryan Cook updated the Council on the 1500 South trail and said they are still looking seriously at that trail. He reported that 2000 East is moving forward and the City should be receiving a credit from Rocky Mtn Power for some street lights.

DEPARTMENT REPORTS

Szeth Simmons said he is just finishing up some Winter projects and trying to get ready for Spring.

Chief Simper reported he was able to set up a two-day training for the local departments and they will be utilizing the fire station for the training. He stated the training will satisfy the sixteen-hour mandate for excessive force and de-escalation. Chief Simper said they have a meeting with the Strike Force governing board next week and will know more about any changes there. He also reported they have new radios coming next week that will help them maintain communication with other agencies and they are purchasing those through a grant.

Councilman Kitchen wanted to let everyone know there is a Master Plan update available for the Kay Park near the Recreation Center. He said people can go onto the Rec District's website to see that plan.

All members of the Council were present to watch a training video on open and public meetings. The video was one shared by the Utah State Auditor's Office.

With no other business before the Council, Dennis Long **moved** to adjourn the meeting at 9:25. Gordon Kitchen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

***OPEN AND PUBLIC
MEETING ANNUAL
TRAINING***

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 24th DAY OF MARCH 2022

BY: _____

ATTEST: _____